

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 19229US01)**

In the Application of: Francis P. Barry, J. Mary Murphy, Robert Deans, David J. Fink, and Annemarie Moseley U.S. Serial No.: 09/841,413 Filed: April 24, 2001 Appeal No.: 2008-1317	For: JOINT REPAIR USING MESENCHYMAL STEM CELLS Examiner: Matthews, William H. Group Art Unit: 3774 Confirmation No.: 5476 Electronically Filed on <u>June 3, 2008</u>
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REQUEST TO WITHDRAW APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests withdrawal of Appeal No. 2008-1317 as of the filing date accorded the continuation application, Serial No. 12/132,290.

The Commissioner is hereby authorized to charge any fee(s) or credit overpayment(s) to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: June 3, 2008

Respectfully submitted,

/Troy A. Groetken/

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